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THE DAILY NEWS will be delivered to subscribers at FIVE CENTS per week, payable at the office weekly. Mailed at \$2 per annum; \$2.50 for six months; \$2 for three months; and \$1 for one month.

THE WEEKLY NEWS at \$2 per annum.

The Raleigh Daily News.

MONDAY, MARCH 18, 1872.

Mr. J. M. BROUGHTON will receive the DAILY NEWS in any portion of the City at Fifteen Cents per week, payable every Saturday.

Parties failing to receive their papers will please give notice at once.

Mr. B. will thoroughly canvass the city in order to make the circulation large and complete.

The NEWS will be found for sale every morning at the Deposits and Hotels.

The NEWS will be sold in the Counties Room at three cents per copy, or by the newsboys at five cts.

All parties ordering the News will please send the money for the time the paper is wanted.

GENERAL DIRECTORY.

CITY GOVERNMENT.

Mayor—Col. W. H. Harrison.

Treasurer—J. H. Frairie.

Commissioners—J. H. Frairie, A. N. Upchurch, J. H. Frairie, A. N. Upchurch.

City Engineer—J. H. Frairie.

City Clerk—J. H. Frairie.

City Attorney—J. H. Frairie.

City Surveyor—J. H. Frairie.

City Inspector—J. H. Frairie.

City Assessor—J. H. Frairie.

City Collector—J. H. Frairie.

City Treasurer—J. H. Frairie.

City Auditor—J. H. Frairie.

City Comptroller—J. H. Frairie.

City Registrar—J. H. Frairie.

City Recorder—J. H. Frairie.

City Notary—J. H. Frairie.

City Clerk—J. H. Frairie.

City Attorney—J. H. Frairie.

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THE DAILY NEWS.

VOL. I. RALEIGH, N. C., MONDAY MORNING, MARCH 18, 1872. NO. 14.

LOCAL MATTERS.

E. C. WOODSON, City Editor.

LOCAL BRIEFS.

No change in the local market.

Trade was brisk and active Saturday.

How to get along well—inquire of Deopp and Jones.

St. Patrick's supper (this) Monday evening at the Yarrowburgh.

Them has Prairie Chickens at \$1.75 per pair, Pheasants at \$3 per pair, and yet the people buy them.

The revival at Wake Forest College is progressing with great success. The Rev. Dr. Pritchard of this city will return to-day.

There remains in the Post Office in this city the following unclaimed letters: E. B. Gunter, Mary Oaks, N. C., Sarah Dupre, New Hill, N. C., Seena Brown, Esq., Petersburg, Va.

Pitt Burrows, Esq., has been appointed a Notary Public by Gov. Caldwell.

HENRY E. HENDERMARSH, of Philadelphia, has been appointed a Commissioner of Affidavits, and to take the Probate of Deeds for North Carolina, and has filed his oath of office with the Secretary of State.

ON DIT.—That the schedule of the North Carolina Rail Road will be changed at an early day, by which the regular mail and passenger train from Charlotte will arrive in the city at about 6 o'clock a. m.

CITY IMPROVEMENT.—Workmen are engaged in the extension of Johnson Street, which crosses the Raleigh and Gaston Railroad, north of the Machine Shops of this road, and enters the Beaver Dam road, near the residence of Major John Deyereaux.

R. W. Best, Esq., is erecting on his premises on Hillsboro Street, a spacious and well arranged store, where he will soon open an A. N. 1, Family Grocery.

TEMPERANCE LECTURE.—We are requested by Theo. N. Ramsay, to state that Hon. Samuel F. Cary's Temperance Lecture in this city, on Tuesday, the 16th of April, will be free to everybody. The citizens of Raleigh are contributing liberally for this purpose. The speaking will take place at Tucker Hall. Front seats reserved for the ladies. Gallery will be open for the colored people. Raleigh Brass Band will be in attendance.

ST. PATRICK'S DAY—POSTPONED CELEBRATION.—It was originally proposed by Rev. Father McNamara that the celebration at the Yarrowburgh House be held on some other evening besides Sunday.

A different opinion prevailed in Committee. Now Father McNamara directs that the supper be postponed, according to his view, from Sunday to this Monday evening.

RAILROAD SNEAKS.—Near Governor Manly's residence in this city, on the line of the N. C. R. R., is a deep cut, from which point, at divers and sundry times rocks have been thrown into, and under the passing trains. On one occasion the engineer was struck with a stone, at another time one was thrown through the window of a passenger car, and on two nights the past week large stones have been rolled down the embankment on the track. Steps should be taken at once to ferret out and arrest these offenders.

LAND BUYERS.—There are numerous. Nearly every train brings to our city prospectors for every point almost of the inhabitable globe. We are glad to see it and more over glad to know that many of them are not only pleased with our immediate section but purchase and locate. To those in search of lands not only here but elsewhere in the State we refer them to the land agency of Messrs. Kingsland & Miller of this city who liberally advertise their agency in the columns of the DAILY NEWS. It is a well known fact, especially with business men, that the most successful enterprises are those that are advertised. We can therefore especially recommend this firm.

THE DAILY DESPATCH.—This is the title of a new daily, to make its appearance in Charlotte at an early day, under the editorial management and control of Messrs. D. Bradford & Co. Its prospectus says:

There are those with the Despatch who have tilled on the farm, at the forge and the work bench. They have served their State in honorable and responsible public positions home and their country in high places abroad. They have worn the uniforms of North Carolina soldiers and followed the Cross of the Southern Confederacy until it was broken. They were educated in different schools of politics, but they learned the same lessons of free representative government, and what they have learned they will teach—THE TRUE PRINCIPLES OF CIVIL LIBERTY.

BEG PARDON.—Mr. J. H. Moore, whom we reported on yesterday as falling from his wagon, though brother Spellman of the Sentinel denies the charge, and adds "that Woodson being on the P. P. route (from Peppers, to Pratts), was not really in a condition "owing to circumstances" to tell whether a man was "in a perpendicular or horizontal position." If we are mistaken we beg pardon, and though our optics may be deceived, yet we leave it to the public to judge if we were not honestly mistaken, when we say that the man whom we supposed to be Mr. Moore, fell from a light spring wagon, marked "Lunatic Asylum," drawn by an iron gray horse, wore a gray shawl, black muf cap of medium height, full stature, with a big mouth and plenty of it. The fall occurred in front of Pratts, with an inclination in that direction.

Besson, the Merchant Tailor, on Fayetteville street, opposite the Market, announces in this issue of the News his return from New York, with a large and attractive stock. Call and see his new styles, fashions, &c.

EXCHANGE OF REAL ESTATE.—On Saturday last the following city real estate, belonging to the O'Rourke heirs was sold at public auction as follows:

Lot No. 1, part of city lot No. 145, 60x100 feet. J. P. Prairie, \$500.

Lot No. 2, corner of Hargett and Wilmington streets, 23x60 feet. B. Y. Rogers, \$3,200.

Lot No. 3, fronting on Wilmington street, 23x60 feet. T. G. Jenkins, \$1,430.

Lot No. 4, fronting on Hargett street, 21x158 feet. G. T. Stronach, \$1,892.50.

Lot No. 5, fronting on Hargett street, 44x158 feet. John L. Johns, \$1,800.

Lot No. 7, fronting on Hargett street, 50x211 feet. D. M. Barringer, \$1,450.

Lot No. 8, fronting on Hargett street, 40x211 feet. D. M. Barringer, \$1,450.

Lot No. 9, fronting 194 feet on Wilmington street and running back 113 feet, 55 feet is 27 feet wide. D. M. Barringer, \$3,525.

Lot No. 10, fronting 234 feet on Wilmington street and running back 113 feet. M. A. Parker, \$4,075.

Lot on the corner of North & McDowell streets containing about 1/2 of an acre. C. B. Harrison, \$810.

THE PENITENTIARY IMBROGLIO.—The following letter of Moses A. Bledsoe, Esq., President of the Board of Directors of the State Penitentiary to His Excellency, Gov. Caldwell, will better explain the "muddle" that we have had occasion to refer to, than anything we might further say. It will be seen that the Governor is responsible for the consequences that must necessarily ensue, should he persist in his unwise course:

STATE PENITENTIARY, RALEIGH, N. C., March 14, 1872.

His Excellency Toth R. Caldwell, Governor.

Sir:—I have the honor to acknowledge through your steward, Mr. D. C. Murray, the receipt of your reply to our request for \$10,000, to meet the necessary current expenses, and for the purpose of constructing the exterior wall of the penitentiary, according to a recent act of the general assembly. In your reply you say "that under a late decision of the Supreme Court of North Carolina, in the case of C. C. Clark and others vs. E. R. Staley and others, I do not recognize (us) as directors of the penitentiary. With all due deference to the legal acumen of your excellency, we beg to be excused for entertaining and expressing the opinion that the "late decision of the Supreme Court of North Carolina, in the case of C. C. Clark and others vs. E. R. Staley and others, "does not decide that the board of directors of the State Penitentiary were not constitutionally and legally appointed." We claim to hold the position of directors of the state penitentiary according to the constitution and laws of North Carolina. In this opinion the board of directors are fortified by the opinion of as eminent lawyers as any in this State. If we are not in as directors according to law, put us out according to law; appeal to Courts, we will abide their decision; but do not acknowledge that your cannot put us out according to law and then attempt to force us out by starving the convicts. Whenever the question shall be legally adjudicated, and it shall be decided by competent authority, that we hold this position in violation of the constitution and laws of the state, we will cheerfully surrender this institution into the hands of those who it may be decided have a constitutional and legal right to control it. Until it shall be so decided, we cannot, honorably abandon either our position as a board of directors or the control of the public institution and property confided to us by the general assembly in the exercise of their constitutional right. Heretofore your excellency has uniformly recognized us as the legal board of directors of the penitentiary; approved all our requisitions, and the public funds, appropriated for the support of the prison, have been promptly paid over to us. There is now in the public treasury between eighty and one hundred thousand dollars, appropriated by the general assembly for the specific purpose of defraying the current expenses of the penitentiary during the present fiscal year and for the construction of the exterior wall and temporary workshops of the prison. This money was appropriated with the express understanding that it was to be disbursed by us, the board of directors appointed by the general assembly, and to whom and none others they committed the care and management of this institution. Regarding the general assembly as the supreme power in the State, and holding our position under the authority of that supreme power, we do not understand by what species of executive legerdemain you claim to nullify an act of the legislature, and thereby thwart the will of the people as expressed through their constitutional representatives in the absence of a direct issue made up under the act by authority of which we hold our position.

If you could satisfy us that we are holding this institution in violation of the Constitution and laws of the State and that you have the constitutional and legal right to appoint a Board of Directors to take charge of it, we candidly declare to you we should unhesitatingly surrender the penitentiary, books, keys, &c., into the hands of such Board, whom you might appoint. But, Governor, unfortunately for yourself, you admit in a paper writing in which you attempt to appoint a Board of Commissioners, bearing date February 20th, 1872, after declaring that a vacancy exists in the office of Commissioners of the penitentiary, that the law has prescribed no way in which such vacancies shall be filled during a recess of the General Assembly?

With this clear and explicit declaration of your own, which cannot be truthfully denied, stating you in the face, and before the ink was dry with which it was written, you, in the same paper, "to authorize and empower Alfred Dockery, G. Wm. Welker, John R. Harrison, Jacob S. Allen, and Alfred Howe as Commissioners to perform the duties of said office and to have and exercise the power and receive the emoluments thereof, until an appointment to fill the vacancy shall be made as required by law."

With these voluntary admissions on your part, embodied in the instrument by which you claimed to appoint them and by virtue of which they claimed their authority to exercise the powers of directors of the penitentiary, how could we possibly recognize them as a constitutional and legal board without sanctioning an acknowledged usurpation of unlawful authority, Governor! And how could you expect us to recognize them without insulting our intelligence? But, Governor, notwithstanding you said on the 20th day of February, 1872, that "the law has prescribed no way in which such vacancies shall be filled during a recess of the General Assembly," you say to us on the 13th day of March, 1872, that "I have the further honor to inform them (our Board of Directors) that Messrs Alfred Dockery, G. Wm. Welker, John R. Harrison, Jacob S. Allen and Alfred Howe are Directors of said institution, legally appointed and commissioned, and have qualified as such."

We confess, Governor, that these glaringly inconsistent and contradictory statements embarrass us a little; and we would not be disrespectful, but we cannot believe both of these statements to be true, and to say that we believe one is to discredit the other. What shall we do?

If on the 30th day of February, 1872, the law prescribed no way in which such vacancies shall be filled during a recess of the General Assembly, by virtue of what legal authority do you declare, on the 13th day of March, that Alfred Dockery, G. Wm. Welker, John R. Harrison, Jacob S. Allen and Alfred Howe are directors of said institution legally appointed and commissioned, and have duly qualified as such? Has the general assembly been in session since the 20th day of February? Have they, since that time, passed a law authorizing you to appoint a board of directors for the penitentiary? If not, from whence do you derive the authority to vacate the board appointed by the legislature and appoint one to suit yourself? Who must we obey—the law enacted by the general assembly or the edict issued by your excellency? If under the late decision in the case of Clark and others vs. Staley and others, you hold that the general assembly could not constitutionally appoint a board of directors for the penitentiary, how is it possible for you, as Governor, without the concurrence of a majority of the Senate, to appoint a legal board during the recess of the general assembly? If, therefore, we are not a legal board, it is impossible to organize a constitutional and legal board of directors for the penitentiary without the concurrent action of the Senate branch of the general assembly and the governor. You have the undisputed right to convene the general assembly, and have this difficulty satisfactorily adjusted; and we insist that you do so immediately. Will you do it? Or will you persist in your illegal course, in utter defiance of the law, the general assembly and the constitution of the State? You alone have the power to settle this matter, and upon you alone must rest the responsibility of a failure or refusal to do it. As you have refused to approve our requisition for the funds necessary to feed and clothe these convicts, and are withholding the money appropriated for that purpose, if you fail or refuse to convene the legislature, what will you have to do with the convicts in this institution? Will you pardon them out? Or will you starve them, rather than let us have the money to buy food for them, which the Legislature has already appropriated for that purpose? We have tendered you a good and sufficient bond, for the amount necessary to preserve the lives of these unfortunate human beings. We will do everything in our power to prevent them from suffering. We will give you a good bond for double the sum stated in our requisition, if you require it, rather than they shall suffer. The amount for which we made a requisition will defray the expenses of the institution until you can convene the General Assembly. Remember, Governor, that these convicts are in the Penitentiary under the sentence of law, and that while you have the right to pardon them, the board of directors have no right to turn them out under any circumstances, unless they are pardoned out by you to their term of imprisonment expires. These unfortunate beings, therefore, have no possible means of obtaining the food necessary to keep them alive otherwise than through the board of directors and your self. We have done our duty, the rest remains with you. If you refuse to let us have the sum necessary for their support until you can convene the general assembly, their case is indeed hopeless. You will certainly starve them. Reflect, governor, what an awful responsibility rests upon you in this matter. We appeal to you in behalf of the convicts in the penitentiary, in the name of humanity and in the interest of an enlightened and christian civilization, to pause and consider well before you stain your skirts with the blood of your unfortunate fellow men. The issue is with you; we await your further pleasure in this matter.

I have the honor to be, Very respectfully, Your obedient servant, M. A. BLEDSOE, President Board of Directors.

A bad marriage is like an electric machine; it makes you dance but you can't let go.

Female influence is evidently uppermost in Arkansas. At a country fair there a premium is offered for the handsomest man exhibited.

TELEGRAPHIC NEWS.

NOON DISPATCHES.

Paris, March 15.

The trial of Marshal Basine for the capitulation of Metz, is expected, and just now occupies public attention, as he can only be tried by his peers.

There is some difficulty in assembling court martial, which is competent, as nearly all marshals of France, of whom court must be composed, were themselves concerned in some capitulation or surrender during the late war.

The Assembly to day discussed budget. President Thiers made a speech defending estimate of war department. He insisted that it could not be reduced. It was necessary to replace the material of war, fortify frontiers, repair fortifications, and create a real army.

It is rumored that Gen. Clusey, Minister of War, will ask for credit of two hundred millions of francs for the building of new forts around Paris, and for fortifications on frontiers, particularly at Longwy and Belfort.

Prussians are actively extending fortifications around Metz and Strasbourg.

New York Affairs.

New York, March 16.

Jay Gould resigned directorship in Erie Railroad. Jay Gould testified before Legislative Committee that charges against Judge Barnard of corruption in Erie affairs were unfounded. Gould paid Tilden \$10,000 in '69 as retaining fee in Erie affairs.

Mrs. Ruth Discharged.

Lawrence, Kansas, March 16.

Mrs. Jane Ruth, charged with being accessory to the poisoning her husband, has been discharged.

Suit Against Police Judge Price Dismissed.

Louisville, March 16.

Suit against Police Judge Price for refusing negro testimony before State authorized it, was dismissed. The Federal Court holds Judge Price justifiable in obeying State law. Judge Ballard added, "I do not think Congress has power to enact law to prevent him from so doing."

Cotton Suit—Seizure Case Remanded for New Trial.

Memphis, March 16.

Cotton suit seizure, involving two hundred thousand dollars, was decided against government in the District Court, and appealed to Circuit Court for new trial.

Summer to Preside at the Cincinnati Convention.

Washington, March 16.

The Tribune's Washington correspondent has information from unquestionable source, that Sumner has consented to preside at the Cincinnati Convention.

Mace and O'Baldwin.

Philadelphia, March 16.

Mace and O'Baldwin have deposited five hundred dollars for a twenty five hundred dollar fight to come off in Virginia, on the 18th of July.

Route of Trevino.

New York, March 16.

A Matamoros special has a dispatch from the Mexican Secretary of War, retreating the capture of Queretaras and the rout of Trevino.

The Evening Sun.

Louisville, March 16.

The Evening Sun newspaper has set.

MIDNIGHT DISPATCHES.

French Affairs.

Paris, March 16.

The Commission of Pardon, having rejected an appeal from Fedel, Questel and Girard, three Communists convicted of murdering hostages, they were shot this morning at Sator.

President Thiers, at the reception on yesterday, spoke upon the Roman question and in his remarks maintained that Catholicity is tradition and one element of strength to France.

Despatches from Cassano announce the death, in that town, of Geo. Eustace, formerly a member of the United States House of Representatives, from Louisiana, and later a private Secretary to Hon. John S. Blinn when he was Confederate Commissioner to France. He was a son in law of Mr. Corcoran of Washington.

New York News.

New York, March 16.

Eighteen small pox cases yesterday. The jury for damages in the Westfield disaster have disagreed, one juror holding that the defendants are not liable, attributing the accident to the dispensation of providence. The jurors favored a verdict against the Company.

Horace Greeley in an editorial on the Cincinnati Convention, says, if free trade is to be made a plank in the platform, he asks to be counted out. All he asks is, that there shall be left a freedom to all classes.

About fifty thousand men will join in the procession on St. Patrick's day, and fifty bands of music. The military will number six thousand.

Street Elevator Burned.

Buffalo, O., March 16.

The Street Elevator owned by the Erie Railroad Company, and leased to Clark Townsend & Co., was burned to day, together with fifty-three thousand bushels of grain. The fire is believed to have been the work of an incendiary. There was no insurance on the Elevator. The grain was fully insured. Loss on building \$17,500.

Accident to a Train.

Springfield, Mass., March 18.

An early train here for Boston, was thrown from the track by a broken rail, twenty persons and the smoking car were more or less injured.

RAILROAD AFFAIRS.

CHATTANOOGA, March 16.

Major Fleming, agent for Charles Walsh, receiver of Alabama & Chattanooga Railroad, has taken possession of that Road from Meridian, Miss., to the Georgia State line, by direction of the U. S. Court of Mississippi and Chief of Court of the Western Division of Ala.

He expects to make such arrangements with Gen. Wafford, receiver for the State of Georgia, as will enable him to run through trains in a few days.

Major Fleming is well known as the General Superintendent of the Mobile and Ohio Railroad, and Mr. Walsh has a high reputation for integrity and financial ability.

Weather Report.

WASHINGTON, March 16.

The barometer will continue falling the upper Lake to the Gulf and eastward to the Atlantic, with rising tendency.

The season of rain over the lower Mississippi Valley will probably extend by and on Sunday morning over the Southern States with prevailing light, crossed clouds with occasional showers.

The New England and Middle States to night, with probably threatening weather on Sunday, especially over the latter. The winds will veer to northwesterly over the Upper Lake region to night. Dangerous winds are not anticipated for the Atlantic and Gulf coast.

Man of War Ashore.

London, March 16.

The iron clad man of war, Lord Clyde, of twenty-three guns, is ashore in the Mediterranean.

It is reported that England and Uruguay have come to open rupture, and that all friendly relations between the two nations have ceased.

Steamer Clyde on a Trial Trip.

Philadelphia, March 16.

The new iron steamer, Geo. W. Clyde has sailed on her trial trip for Charleston.

Washington Affairs.

WASHINGTON, March 16.

Grant wants Lee to leave New York on account of scandal.

Congressional Proceedings.

WASHINGTON, March 16.

SENATE—No session.

HOUSE—Debate only.

Sherman in his speech on yesterday said the tariff could safely be reduced to twenty millions, but warned Senators of tea and coffee. He admitted that free reduction must stop there. Sherman favors the reduction on textile fabrics.

Tom Murphy, formerly Collector of Customs, is before the Retirement Commission. He testifies that he was not induced by Grant, Porter or Babcock in the Lee and Stocking's order or business affairs.

Also for sale.

150 Improved Farms of 50 to 1,000 acres each, at \$4 to \$10 per acre.

20,000 acres of Timber and Mineral Land, at \$2 to \$10 per acre.

N. B. No advance or speculation on owners prices on property entered in this office for sale.

TO LET.

20 Houses and Lots, Rooms, Offices, Farms and 4 large Stores, with 7 rooms over each for family use.

Real Estate Exchange.

mht m Under Raleigh National Bank.

INSURANCE.

CONSULT YOUR INTEREST BY INSURING IN THE

Widows & Orphans Benefit Life Insurance Co., of New York.

W. H. FINCH & CO., GENERAL AGENTS, RALEIGH, N. C.

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It offers absolute security. It is careful in the selection of risks. It is prompt in the payment of its obligations. It is economically managed. It is in a healthy position and healthy condition, having surplus, as regards policy holders, far in excess of that required by New York law.

Its plans and practice are endorsed by the best financial and actuarial talent of the country.

It has paid \$18,000 in losses in N. C. during the past year.

It is doing a large business in this State. Be sure to examine its plans before insuring elsewhere. mari-2w

RATES OF ADVERTISING.
One square, one insertion..... \$ 1.00
One square, two insertions..... 2.00
One square, three insertions..... 3.00
One square, four insertions..... 4.00
One square, one month..... 10

